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- 33. (New) The method of claim 32 wherein at least one of said first, second, and third controlled devices comprises a telephone answering device.
 - 34. (New) The method of claim 32 wherein at least one of said first, second, and third controlled devices comprises a television set.
 - 35. (New) The method of claim 34 further comprising the step of recording the electrical signal on a recorder located within the remote control device.
 - 36. (New) The method of claim 35 further comprising the step of retrieving a last recorded signal from the recorder and transmitting said last recorded signal to said first controlled device responsive to activation of a repeat button.
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REMARKS

Reconsideration of the present application in view of the above amendments and the following remarks is respectfully requested.

I. STATUS OF THE CLAIMS

Claims 1-36 are now pending in the present application. Claims 32-36 have been added and are directed to methods for controlling at least three controlled devices in accordance with the methods as defined in claim 29. Claims 32-34 are directed to such methods wherein the first, second, and third controlled devices are independently selected from the group consisting of telephone answering devices, television sets, stereos, video cassette recorders, compact disk players, cassette tape players, and digital video disk players. Claim 35 is directed to methods which comprise the steps of recording an electrical signal derived from an entered voice command on a recorder located within a remote control device, and claim 36 is directed to methods comprising retrieving a last recorded signal from the recorder and transmitting the last recorded signal to the first controlled device responsive to activation of a repeat button. Support for these new claims can be found, for example, in the

specification at pages 1, 5-14, in figures 2, 3, 6, and 7, and in the original claims.

II. THE EXAMINER'S PRIMARY REFERENCE IS NOT PROPERLY CITED AS PRIOR ART AND THE EXAMINER'S REJECTION SHOULD BE WITHDRAWN

The Examiner rejected claims 1-9, and 11-31 under 35 U.S.C. §102(e) as being anticipated by Tillgren et al., U.S. Patent No. 6,339,706 ("Tillgren"). In addition, the Examiner rejected claim 10 under 35 U.S.C. 103(a) as being unpatentable over Tillgren in light of Puthuff, U.S. Patent No. 6,112,103.

In response, although applicants do not necessarily agree with the Examiner's assessment of Tillgren in relation to the claimed invention, and respectfully submit that the pending claims contain subject matter that is patentable over such document, applicants nevertheless submit that Tillgren is not prior art as defined under 35 U.S.C. §102. More specifically, as set forth in the attached Declaration of Bahram Kermani, prepared pursuant to 37 C.F.R. §1.131, the claimed invention was conceived by Bahram Kermani prior to the November 12, 1999 reference date of Tillgren. In addition, as set forth in the attached Declaration of Brett Freeman, due diligence was exercised from a time prior to November 12, 1999 through the constructive reduction to practice, by filing of the above-identified application of the subject-matter now claimed, on January 14, 2000. Tillgren was therefore not "filed in the United States before the invention by the applicant for patent . . ." as required under 35 U.S.C. §102(e) and is thus not properly cited as prior art under such law.

Accordingly, applicants respectfully submit that Tillgren should be removed as a reference and the Examiner's rejection withdrawn.

III. CONCLUSIONS

Reconsideration is respectfully requested. In view of the above remarks, it is urged

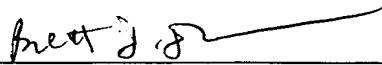
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that the present application be allowed. An early and favorable response is earnestly solicited.

Respectfully submitted

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